

JFW



Attorney Docket No. 33964/1050

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: )  
Woodard et al. ) Examiner: Not Specified  
Serial No. 10/782,437 ) Group Art Unit: 2615  
Filed: February 19, 2004 )  
For: System and Method for Displaying an Image and Playing an Associated Message )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. In accordance with the PTO notice dated July 11, 2003, waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting copies of each cited U.S. Patent, for all U.S. national patent applications filed after June 30, 2003, no copies of U.S. Patents are enclosed. However, copies of foreign patents and non-patent literature are submitted under 37 CFR 1.98(a)(2).

The documents are being submitted within three (3) months of the filing of this application or entry into the national stage of this application, or before the first Office Action on the merits, whichever is later, therefore no fee or certification is required under 37 C.F.R. § 1.97(b).

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication, or other information referred to herein is "prior art."

It is requested that the accompanying information disclosure statement be considered and made of record in the above-captioned application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

By: Andrea L. Hirst  
Andrea L. Hirst  
Registration No. 55,269

Brookstone Purchasing, Inc.  
One Innovation Way  
Merrimack, New Hampshire 03054  
Telephone: (603) 577-8274  
Facsimile: (603) 577-8011  
Customer No. 54945



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3**Complete if Known**

Application Number	10/782,437
Filing Date	February 19, 2004
First Named Inventor	Woodard
Art Unit	2615
Examiner Name	Not Specified
Attorney Docket Number	33964-1050

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 6,393,402 B1	05-21-2002	Loudermilk et al.	
		US- 6,393,401 B1	05-21-2002	Loudermilk et al.	
		US- 6,381,573 B1	04-30-2002	Loudermilk	
		US- 6,377,926 B2	04-23-2002	Loudermilk	
		US- 6,263,310 B1	06-17-2001	Loudermilk et al.	
		US- 6,185,851 B1	02-13-2001	Loudermilk et al.	
		US- 5,956,682	09-21-1999	Loudermilk et al.	
		US- 5,504,836	04-02-1996	Loudermilk	
		US- 5,387,108	02-07-1995	Crowell	
		US- D515,826 S	02-28-2006	Woodard et al.	
		US- D510,196 S	10-04-2005	Woodard et al.	
		US- D487,481 S	03-09-2004	Harris et al.	
		US- D473,720 S	04-29-2003	Harris et al.	
		US- 6,446,376 B1	09-10-2002	Chan	
		US- 6,427,370 B1	08-06-2002	Smith	
		US- 6,363,639 B1	04-02-2002	Chan	
		US- 6,167,233	12-26-2000	Gresser, Jr. et al.	
		US- 6,148,173	11-14-2000	Bell	
		US- 5,979,097	11-23-1999	Lebedz	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet **2** of **3****Complete if Known**

Application Number	10/782,437
Filing Date	February 19, 2004
First Named Inventor	Woodard
Art Unit	2615
Examiner Name	Not Specified
Attorney Docket Number	33964-1050

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,954,514	09-21-1999	Haas et al.	
		US- 5,605,354	02-28-1997	Kwon	
		US- 5,577,918	11-26-1996	Crowell	
		US- 5,400,532	03-28-1995	Grove	
		US- 5,347,738	09-20-1994	Zweig et al.	
		US- 4,854,060	08-08-1989	Corbo et al.	
		US- 4,550,516	11-05-1985	Ackeret	
		US- 4,531,319	06-30-1985	Saxton	
		US- 4,443,959	04-24-1984	Ackeret	
		US- 3,624,939	12-07-1971	Gossard	
		US- 2,839,857	06-24-1958	Teller	
		US- 2,769,689	06-25-1957	Yannone	
		US- 1,626,150	04-26-1927	Parda	
		US- 1,068,621	07-29-1913	Abraham	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	10/782,437		
		Filing Date	February 19, 2004		
		First Named Inventor	Woodard		
		Art Unit	2615		
		Examiner Name	Not Specified		
Sheet	3	of	3	Attorney Docket Number	33964-1050

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Brookstone, Leather Talking Photo Frame, www.brookstone.com, 2003	
		Brookstone, Talking Photo Album, www.brookstone.com, 2003	
		Brookstone, Voice Recording Photo Collage, www.brookstone.com, 2003	
		Brookstone, Talking Travel Photo Clock, www.brookstone.com, 2003	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.